IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE SIDE

WRIT PETITION NO. 7423 OF 2005

Nitin Vijaykumar Shah & anr.... Petitioner

versus

Narayan Shankar Bhadirage ..... Respondent.

Shri S.R.Nargolkar for the petitioner.

CORAM; A.P. DESHPANDE, J.
DATED; 19TH OCTOBER, 2007

P.C.;

1. Two orders passed by the Motor Accident Claim Tribunal are challenged by filing this Writ Petition. The first order is rejection of an application moved by the present petitioner, at Exh. 21 urging the Tribunal to implead Pune Municipal Transport as a party in the proceeding,. The petitioner has averred that his motor car did not meet with an accident with the motor cycle but it was a bus owned by Pune Municipal Transport Corporation which had met with the accident. The trial court has rejected the said application by holding that primafacie the vehicle involved in the accident is the maruti car owned by the petitioner and the motor cycle. Further finding that impleadment of Pune Muncipal Transport is not necessary, the application came to be rejected.,

2. Another order passed by the Motor Accident Claim Tribunal is an order directing payment of Rs.25000/- by the petitioner to the person who has suffered injuries in the accident on account of no fault liability. The Tribunal has taken into consideration the material on record which is in the form of certified copy of FIR, spot panchanama, RTO information, the certificate of permanent disability and other documents revealing involvement of the vehicle of the petitioner, which met with the accident. For considering the application under section 140, the issue is not required to be dealt with elaborately and the tribunal is justified in granting the application under section 140 on the basis of the above material.

3. Perused the order. The same do not call for any interference. Hence writ petition is summarily dismissed.

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